\* BEFORE THE DEPUTY IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE SW/S Friar Street, 35 ft. \* ZONING COMMISSIONER NW of all Knights Way \* OF BALTIMORE COUNTY 3902 Friar Street ind Election District \* Case No. 94-244-A ist Councilmanic District Kerima S. Blackburn Petitioner

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

. . . . . . . . . .

This matter comes before the Zoning Commissioner as an administrative variance filed by Kerima S. Blackburn in the Courtland Manor subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 301.1 and 504 (CMDP V.B.6.B) of the Baltimore County Coning Regulations (B.C.Z.R.) to allow a rear yard setback for an open projection (deck) of 10 ft., in lieu of the minimum required 11-1/4 ft., as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioner has filed the supporting affidavits as required by Section [26-12] (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general Weltare of the public and should therefore be granted. In the opinion of the dening Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this  $34^m$  day of January, 1994 that the Petition for a Zoning Variance from Section 301.1 and 504 (CMDP V.B.6.B) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback for an open projection (deck) of 10 ft., in lieu of the minimum required 11-1/4 ft., in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > -2-

TIMOTHY M. KOTROCO, Deputy Zoning Commissioner for Baltimore County

wide at a distance of  $\frac{35M \pm NW}{\text{(number of feet) (north, south, east or west)}}$ centerline of the nearest improved intersecting street \_\_\_\_\_, Section #\_\_\_\_\_ in the subdivision of COURTLAND MANOR as recorded in Baltimore County Plat (name of subdivision)  $\frac{1400 \text{ sc} \cancel{R} = 032 \text{ ac. t}}{\text{(square feet and acres)}}$ 

CERTIFICATE OF POSTING Kerima S. Blackburg ition of property: 3907 Frigr ST. Suls ion of Signe Facing rood wor son property burg zoned

Zoning A	e County  dministration &  nent Management  esapeake Avenue  ryland 21204	Account: R-C	qi <b>leoet</b> i
Date 12-17-93	94-244-7		*251
Owner: Kerima	S. Blackburn		
site: 3902 F	(21208)		
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**Baltimore County Government** Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 24, 1994

Ms. Kerima S. Blackburn 3902 Friar Street Baltimore, Maryland 21218

> RE: Petition for Administrative Zoning Variance Case No. 94-244-A Property: 3902 Friar Street

Dear Ms. Blackburn:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

Zoning Commissioner

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Timothy M. Kotroco Deputy Zoning Commissioner

to the Zoning Commissioner of Baltimore County for the property located at 3902 Friar 5+
which is presently send DR 16. This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 32/./3 604 (CADE VB & B) To allow a rear yard setback for an open projection (deck) of 10 ft in lieu of the minimum required 11 1/4 ft. of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons (indicate hardship or (1) The back yard is only 20 feet. (2) The deck would only be 8 feet. (3) Only need of feet to build deck. Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above Variance advertising iposting etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County We do superity declare and affirm under the penalties of person, that you are the ingal owner(s) of the property which is the subject of this Petro-Contract Purchaser/Lessee (Type of Print Name) Attorney for Petitione Phone No ----circulation, throughout Baltimore County, and that the property be reposted. Zoning Commissioner of Baltimore County

Petition for Administrative Variance

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

ITEM 0: 25/

January 7, 1994

Kerima S. Blackburn 3902 Friar Street Baltimore, Maryland 21208

111 West Chesapeake Avenue

Towson, MD 21204

RE: Case No. 94-244-A, Item No. 251 The URL Leave record of the second of the Place belonging Petition for Administrative Variance

Dear Mr. Blackburn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or queblows with requid to the proposed improvements that may have a bearing

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 11, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future conting politions and as simulate greatiting the postition talling time. with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

To allow a rear yard setback for an open projection (deck) of 10 ft in lieu of the minimum required 11 1/4 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (i) the back yard is only 20 feet

2 the back could only be 8 feet

3 only need 26 feet to build dark Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. i/We do solemnly declare and affirm, under the penalties of perjury, that !/we are the Contract Purchaser Lessee KERLINH S. BLACKBURN Type or Fret Name. Signature Attorney for Petitioner Type or Print Name A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ circulation, throughout Battimore County, and that the property be reposted. Zoning Commissioner of Baltimore County

Petition for Administrative Variance

which is presently zoned DR-16

ITEM #: 25/

retition for Administrative Variance
94-244-A
to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1, 304 (CMPP VB 6 B)

for the property located at 3902 Frier St.

This Petition shall be filed with the Office of Zoning Administration & Development Management.



O. James Lighthizer Hal Kassoff Administrator

12-22-95

Ms. Charlotte Minton Zoning Administration and Development Management County Office Building 111 W. Chesapeake Avenue

Dear Ms. Minton:

Re: Baltimore County Item No.:  $\chi 25/ / TJ5$ 

Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bolo Snall

John Contestabile, Chief Engineering Access Permits

My telephone number is \_\_\_\_\_\_ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 BALTIMORE. COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: January 5, 1994

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

94-244-4

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 243, 248, 250, 251, 253, 255, 256, 257, and 259.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

ZAC.243/PZONE/ZAC1

Scale: ["= 20"

Public Water Public Sever

Baltimore County Government Fire Department 700 East Joppa Road Suite 901 Towson, MD 21286-5500 (410) 887-4500 🛉 Armold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105 RE: Property Owner: KERIMA S. BLACKBURN LOCATION: SU/S FRIAR ST.35' +/- NW CENTERLINE KNIGHTS WAY (3902 FRIAR ST.) Item No.: 251 (JJS) Zoning Agenda:ADMINISTRATIVE VARIANCE Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property. 7. The Fire Prevention Bureau has no comments at this time. REVIEWER: LT. ROBERT P. SAUERWALD Fire Prevention, PHONE 887-4881, MS-1192F cc: Fite

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE TO: Arnold Jablon, Director DATE: January 5, 1934 Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item No. 243, 248, 250, 251, 253, 255, 256, 257, and 259.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw



ZAC.243/FZONE/ZAC1

Property Address: 3902 Friar St. & Variance Subdiv. Name Courtland Manor Plat 600K 63 to 110 39 1 at NO. 165 Owner Kering Blackburn Zoning DR-16

Elect. Dist. 200

Co. Dist. 1st

Public Water 11 = 200 scale Zon map NW 6-6 Prior Hearings None

Notin Chesupeake BAY Critical Area

Vicinity Map

Printed on Recycled Paper

#3902

\* Street is NOT Shown on cornert 200 scale map. D.R. 10.5 D.R. 5.5 D.R. 16 D.R. 16 D.R. 5.5 92.364.5PHA

Baltimore County Government Office of Zoning Administration and Development Management 111 West Chesapeake Avenue Towson, MD 21204 DECEMBER 22. 1993 NOTICE OF CASE NUMBER ASSIGNMENT Kerima S. Blackburn 3902 Friar Street Baltimore, Maryland 21208 CASE NUMBER: 94-244-A (Item 251) 3902 Priar Street SW/S Friar Street, 35'+/- NW of c/l Knights Way 2nd Election District - 1st Councilmanic Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process. 1) Your property will be posted on or before January 2, 1994. The closing date (January 17, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing. 2) In cases requiring public hearing (whether due a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s). 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge. PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

